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The situation in the Middle East

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Report of the Secretary-General

Summary

The present report contains replies received from Member States in response to the Secretary-General's note verbale of 2 June 2006 concerning the implementation of the relevant provisions of General Assembly resolutions 60/41, entitled "Jerusalem", and 60/40, entitled "The Syrian Golan".

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I. Introduction

1. The present report is submitted pursuant to General Assembly resolutions 60/40 and 60/41. In its resolution 60/41, the Assembly deplored the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980) and called once more upon those States to abide by the provisions of the relevant United Nations resolutions. In its resolution 60/40, which deals with Israeli policies in the Syrian territory occupied by Israel since 1967, the Assembly demanded once more that Israel withdraw from all the occupied Syrian Golan to the line of 4 June 1967 in implementation of the relevant Security Council resolutions.

2. In order to fulfil his reporting responsibility under resolutions 60/40 and 60/41, on 2 June 2006 the Secretary-General addressed notes verbales to the Permanent Representative of Israel to the United Nations and to the Permanent Representatives of other Member States requesting them to inform him of any steps their Governments had taken or envisaged taking concerning implementation of the relevant provisions of those resolutions. As at 15 August 2006, replies had been received from Israel, Mali and the Syrian Arab Republic. Those replies are reproduced in section II of the present report.

II. Replies received from Member States

Israel

[Original: English]

1. The Permanent Representative of Israel to the United Nations presents his compliments to the Secretary-General and has the honour to refer to his note dated 30 May 2006 concerning resolutions 60/40 and 60/41, adopted by the General Assembly under agenda item "The situation in the Middle East".

2. As the Secretary-General is aware, Israel voted against those resolutions, as it has done time and time again in the case of similar resolutions adopted by the General Assembly at previous sessions. In the light of the urgent need to bring an end to all acts of violence and terrorism in the region and to further the agreed negotiation process, Israel wishes to put on record, once again, its position on this matter.

3. Israel views the aforementioned General Assembly resolutions as unbalanced documents that threaten to prejudge the outcome of the Middle East peace process. The one-sided approach reflected in those resolutions undermines a fundamental principle of the peace process, according to which the achievement of a just and lasting peace in the region is possible only through direct bilateral negotiations.

4. Permit me to point out that it is now roughly one year since Israel fully withdrew from the Gaza Strip and parts of the northern West Bank. We had hoped that the disengagement, as one measure, would have been a positive step in the right direction. Yet the response has been more of the same: terrorism. Day in and day out Israel is under attack. Families living in the city of Sderot are in constant fear of the Qassam rockets that have struck their homes, schools and places of work.

5. Additionally, the Palestinian Authority has yet to make good on its responsibilities to the international community. Israel is still engaged in a war on terror, in which the elected Hamas Government has sworn its intent to murder as many Israelis as possible. The Hamas-led Palestinian Authority must fulfil the conditions set out by the international community: to recognize Israel, denounce terrorism and abide by previous agreements.

6. The time to put an end to such biased resolutions is long overdue, requiring immediate and serious consideration by the Secretary-General. These one-sided resolutions are not only out of touch with reality and anachronistic, they are counterproductive and run counter to the very spirit of peace. Rather than promote a vision which recognizes the rights and obligations of both sides, as articulated in the road map, these resolutions obscure the efforts of the parties to achieve a negotiated outcome.

Mali

[Original: French]

1. The Permanent Mission of Mali to the United Nations presents its compliments to the United Nations Secretariat and, with reference to its note verbale of 2 June 2006 concerning the application of General Assembly resolutions 60/40 and 60/41 on the Syrian Golan and Jerusalem, respectively, has the honour to convey the following information.

2. The Government of Mali has always strictly observed the recommendations arising from those resolutions, and continues to do so. Consequently, it has taken no measures that conflict with them, and appeals for dialogue and consultation among all parties concerned, aimed at achieving the resumption of the peace process in both cases.

Syrian Arab Republic

[Original: Arabic]

1. Throughout the years since the Israeli occupation of the Syrian Golan in 1967, the international community has repeatedly expressed, and has now again expressed, its strong rejection of that occupation, calling for the withdrawal of the occupying Israeli forces from the whole of the Syrian Golan. General Assembly resolution 60/40 affirms the concern of the international community regarding Israel's failure to comply with the relevant resolutions and its continuing occupation of the Golan, contrary to Security Council and General Assembly resolutions. General Assembly resolution 60/40 also affirms that Israel's decision to impose its laws, jurisdiction and administration on the Syrian Golan is null and void and has no legitimacy whatsoever, as confirmed by the Security Council in its resolution 497 (1981), and calls upon Israel to rescind its decision.

2. After 39 years of this tyrannical occupation, and despite the resolutions adopted by the organs of international legitimacy and the appeals made in all international forums by the majority of the world's leaders, in which they rejected the Israeli occupation of Arab territories and condemned Israel's daily brutal practices and flagrant violations of all international instruments and norms, Israel

still remains indifferent to all such appeals and international resolutions; yet there is no deterrent to its expansionist ambitions.

3. The Syrian Arab Republic has affirmed its strong commitment to the pursuit of work and cooperation with the United Nations and conveys to the Secretary-General and his assistants special appreciation for their efforts and the difficulties they face in their endeavours to preserve the standing of the Organization. On that basis, the Syrian Arab Republic affirms that the forum of international legitimacy and the United Nations resolutions unquestionably remain the fundamental authority most accepted and most respected by the countries of the world. Given that this is an unshakeable principle of Syrian policy, President Bashar Al-Assad has declared on more than one occasion that the Syrian Arab Republic is willing to resume peace negotiations on the same basis on which the Madrid peace process was started in 1991. The Syrian Arab Republic has also declared in all international forums its full commitment to the relevant international resolutions and has called for their implementation, in particular that of Security Council resolutions 242 (1967), 338 (1973) and 497 (1981), and the implementation of the principle of land for peace, in order to guarantee Israel's full, unrestricted and unconditional withdrawal from all of the occupied Syrian Golan to the line of 4 June 1967. In addition, in endorsing the Arab peace initiative adopted at the 2002 Beirut Summit, the Syrian Arab Republic founded its strategic choice on the achievement of a just and comprehensive peace in accordance with the relevant resolutions constituting international legitimacy. Such a peace cannot be achieved without the implementation of those resolutions, which have received the support of the international community.

4. The Government of the Syrian Arab Republic denounces the decisions adopted by the Israeli Government concerning an increase in the number of Israeli settlements and the inclusion of eight additional settlements in the existing plan for the expansion of settlements and settlement activity in the occupied Golan to reach 50,000 settlers. It further condemns the statement of Israeli Prime Minister Ehud Olmert that the Golan is not the object of any unilateral withdrawal but rather of development projects. In that connection, the Government of the Syrian Arab Republic denounces the setting aside by Israel's land department of 2,500 dunams from the territory of the occupied Golan to be sold to settlers for the purpose of establishing wineries and luxury tourist units. It further condemns the announcement by the Settlement Council of a campaign under the slogan "The Golan has opened its doors to you and is brimming with life", the purpose of which was to attract 1,000 families under the 2005 settlement campaign. Such Israeli actions show Israel's true intention to reject peace, paying no heed to Security Council or General Assembly resolutions, the most recent of which was General Assembly resolution 60/108 of 8 December 2005, in which the Assembly once again demanded that Israel desist from all forms of settlement activity.

5. The Syrian Arab Republic reaffirms the need for a genuine effort to find means to ensure the implementation of the relevant international resolutions without any discrimination or selectivity and to apply the Geneva Conventions in order to pressure Israel, the occupying authority, to comply with the will of the international community and seize the opportunities offered by the Syrian Arab Republic for achieving a just and comprehensive peace in the Middle East.

6. The Syrian Arab Republic reaffirms its support for General Assembly resolution 59/32, entitled "Jerusalem", and calls upon the international community to exert pressure on Israel to end the occupation of th[illegible]ab lands occupied by it in 1967, including Jerusalem, and to comply with Security Council resolution 478 (1980), in which the Council decided not to recognize the "basic law" passed by Israel in respect of Jerusalem and affirmed that the Israeli decision to impose its laws, jurisdiction and administration on the city of Al-Quds Al-Sharif was illegal and consequently null and void and had no validity whatsoever. The Syrian Arab Republic also calls for full compliance with the provisions of General Assembly resolution 60/41, in particular the reference in its third preambular paragraph to Security Council resolution 478 (1980), in which the Council called upon those States which had established diplomatic missions in Jerusalem to withdraw such missions from the Holy City and to comply with the provisions of that resolution.